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12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO AND OAKLAND DIVISION
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16 THOMAS FERNANDEZ and LORA
17 SMITH, individually and on behalf of a
18 class of all other persons similarly situated,

19 Plaintiffs,

20 vs.

21 K-M INDUSTRIES HOLDING CO., INC.;
22 K-M INDUSTRIES HOLDING CO., INC.
23 ESOP PLAN COMMITTEE; WILLIAM
24 E. AND DESIREE B. MOORE
25 REVOCABLE TRUST; TRUSTEES OF
26 THE WILLIAM E. AND DESIREE B.
27 MOORE REVOCABLE TRUST;
28 ADMINISTRATOR OF THE ESTATE OF
WILLIAM E. MOORE, DECEASED; CIG
ESOP PLAN COMMITTEE; and NORTH
STAR TRUST COMPANY,

Defendants.

Case No. C06-07339 MJJ

CERTIFICATE OF SERVICE

PROOF OF SERVICE

CASE NO. C06-07339 MJJ

CERTIFICATE OF SERVICE

I am a resident of the State of California and over the age of eighteen years, and not a party to the within action; my business address is Morgan Lewis & Bockius LLP, One Market, Spear Street Tower, San Francisco, California 94105-1126. On June 26, 2008, I served the within:

**NORTH STAR TRUST COMPANY'S NOTICE OF MOTION, MOTION
AND SUPPORTING MEMORANDUM FOR SUMMARY JUDGMENT RE
STATUTE OF LIMITATIONS (UNDER SEAL)**


**DECLARATION OF NICOLE A. DILLER IN SUPPORT OF DEFENDANT
NORTH STAR TRUST COMPANY'S ADMINISTRATIVE MOTION FOR
AN ORDER TO FILE DOCUMENTS UNDER SEAL**

CERTIFICATE OF SERVICE

- ☒ by transmitting via electronic mail the document(s) listed above to the e-mail address(s) set forth below.
- ☒ by placing the documents listed above in sealed envelopes with postage thereon fully prepaid, in the United States mail at San Francisco, California addressed as set forth below.
- ☐ by placing the documents set forth above in sealed Federal Express envelopes and affixing pre-paid air bills, and causing the envelopes to be delivered to a Federal Express agent for delivery.
- ☐ by causing the document(s) listed above to be personally delivered to the person(s) at the address(es) set forth below.

<p>1 Daniel Mark Feinberg, Esq. dfeinberg@lewisfeinberg.com 2 Todd Jackson, Esq. 3 Margaret Elizabeth Hasselman, Esq. 4 Nina Rachel Wasow, Esq. 5 Karen G. Scott, Esq. 6 LEWIS FEINBERG LEE RENAKER & 7 JACKSON, P.C. 8 1330 Broadway, Suite 1800 9 Oakland, CA 94612</p> <p>Attorneys for Plaintiffs Thomas Fernandez, Lora Smith</p> <p>VIA E-MAIL AND U.S. MAIL</p>	<p>Peter Scott Rukin, Esq. peterrukin@rhdtdlaw.com RUKIN HYLAND DORIA & TINDALL LLP 100 Pine Street, Suite 725 San Francisco, CA 94111</p> <p>Attorneys for Plaintiffs Thomas Fernandez, Lora Smith</p> <p>VIA E-MAIL AND U.S. MAIL</p>
<p>10 Bruce Scott Bennett, Esq. bennettb@hbdlawyers.com 11 Robert Louis Palmer, Esq. 12 Caroline Walters, Esq. 13 HENNIGAN BENNETT & DORMAN 14 LLP 15 865 South Figueroa Street, Suite 2900 16 Los Angeles, CA 90017</p> <p>Attorneys for Defendants William E. and Desiree B. Moore Revocable Trust</p> <p>VIA E-MAIL</p>	<p>Ronald Lovitt, Esq. rl@lh-sf.com, davies@lw-sf.com Henry I. Bornstein, Esq. Lovitt & Hannan, Inc. 900 Front Street, Suite 300 San Francisco, CA 94111</p> <p>Attorneys for Defendants K-M Industries Holding Co., Inc. K-M Industries Holding Co., Inc. ESOP Plan Committee CIG ESOP Plan Committee</p> <p>VIA E-MAIL</p>
<p>19 Terence French Young, Esq. tfylaw@earthlink.net 20 LAW OFFICES OF TERENCE F. 21 YOUNG 22 660 4th Street, Suite #144 23 San Francisco, CA 94107-1618</p> <p>Attorneys for Defendants K-M Industries Holding Co., Inc. K-M Industries Holding Co., Inc. ESOP Plan Committee CIG ESOP Plan Committee</p> <p>VIA E-MAIL</p>	

1 I declare under penalty of perjury, under the laws of the State of California and the United
2 States of America, that the foregoing is true and correct. Executed on June 26, 2008, at San
3 Francisco, California.

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6 Denise C. Brown

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